

Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila

FORM 01- LIST OF PENDING CASES
Second Quarter, 2017

NO.	CASE/DOCKET NO.	RESPONDENT/S (POSITION) AND (Level of Position/No. OF RESPONDENT/S	COMPLAINANT/S	NATURE OF CHARGE	TYPE OF CASE (Administrative/ Criminal/Civil) and w/n integrity/efficiency/ integrity-graft related	CASE LODGED AT THE	DATE OF FORMAL CHARGE (Year, Month, Day)	AGING (Year, Month, Day)	DETAILED STATUS OF CASES	REMARKS/STATUS OF EMPLOYMENT
1	CA G.R. No. 11993/ G.R. No. 214904	Manuel A. Jaramilla, former VSA of Luciano Millan Memorial School of Arts and Trades (LMMSAT) /Rank-and-File/One (1) respondent	TESDA	Grave Misconduct and Dishonesty	Administrative/Integrity-graft related	Court of Appeals	2008 June 26	nine (9) years, four (4) months and eight (8) days	CSC Resolution No. 10-0430 dated 08 March 2010 found Jaramilla guilty of Simple Misconduct and Less Serious Dishonesty and imposed him the penalty of one (1) year suspension from the service. On 17 September 2014, the Petition for review which was filed by TESDA was denied by the Court of Appeals and affirmed the Resolution issued by the CSC. The TESDA through the Office of the Solicitor General filed its Petition for Review on Certiorari before the Supreme Court.	Permanent Employee Mr. Jaramilla is currently appointed as the Vocational School Administrator III at the Passi Trade School (PTS).
2	N/A	Digna A. Diaz, Administrative Officer V, General Services Division, AS/Rank-and-File/One (1) respondent	Department of Labor and Employment (DOLE)	Violation of the Joint Circular No. 3-99 and corresponding offenses under Section 46, Rule 10 of Revised Rules on Administrative Cases in the Civil Service (RRACCS)	Administrative/Integrity - graft related	Department of Labor and Employment (DOLE)	2016 June 23	one (1) year, four (4) months and eleven (11) days	Pending formal investigation by the Department of Labor and Employment (DOLE).	Permanent Employee
3	N/A	Genaro Ronald C. Ibay, Provincial Director, TESDA-Nueva Vizcaya/Executive/ Managerial Level/One (1) respondent	Baguio Finest Security Agency and TESDA	Grave Misconduct	Administrative/Integrity	TESDA	2017 June 27	four (4) months and seven (7) days	Pending formal investigation by TESDA.	Permanent Employee
4	N/A	Genaro Ronald C. Ibay, Provincial Director, TESDA-Nueva Vizcaya/Executive/ Managerial Level/Nine (9) respondents	TESDA	Grave Misconduct	Administrative/Integrity	TESDA	2017 August 16	two (2) months and eighteen (18) days	Pending formal investigation by TESDA.	Permanent Employee

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5	N/A	Glenn N. Murphy, Chief Administrative Officer, TESDA-CAR/Rank-and-File/Nine (9) respondents	TESDA	Grave Misconduct and Gross Neglect of Duty	Administrative/Integrity	TESDA	2017 August 16	two (2) months and eighteen (18) days	Pending formal investigation by TESDA.	Permanent Employee
6	N/A	Marlyn G. Necesito, Chief TESD Specialist, TESDA-CAR/Rank-and-File/Nine (9) respondents	TESDA	Grave Misconduct and Gross Neglect of Duty	Administrative/Integrity	TESDA	2017 August 16	two (2) months and eighteen (18) days	Pending formal investigation by TESDA.	Permanent Employee
7	N/A	Daisy C. Bungallon, Supervising TESD Specialist, TESDA-CAR/Rank-and-File/Nine (9) respondents	TESDA	Grave Misconduct and Gross Neglect of Duty	Administrative/Integrity	TESDA	2017 August 16	two (2) months and eighteen (18) days	Pending formal investigation by TESDA.	Permanent Employee
8	N/A	Renato O. Hernandez, Regional Accountant, TESDA-CAR/Rank-and-File/Nine (9) respondents	TESDA	Grave Misconduct	Administrative/Integrity	TESDA	2017 August 16	two (2) months and eighteen (18) days	Pending formal investigation by TESDA. Mr. Hernandez is preventively suspended from the service effective 06 September 2017 to 04 December 2017.	Permanent Employee
9	N/A	Susana G. Carbonell, Senior TESD Specialist, TESDA-CAR/Rank-and-File/Nine (9) respondents	TESDA	Grave Misconduct and Gross Neglect of Duty	Administrative/Integrity	TESDA	2017 August 16	two (2) months and eighteen (18) days	Pending formal investigation by TESDA.	Permanent Employee
10	N/A	Billy Banglo F. Balingit, Administrative Officer V, TESDA-CAR/Rank-and-File/Nine (9) respondents	TESDA	Grave Misconduct and Gross Neglect of Duty	Administrative/Integrity	TESDA	2017 August 16	two (2) months and eighteen (18) days	Pending formal investigation by TESDA.	Permanent Employee
11	N/A	Dante F. Lacañale, Administrative Officer V, TESDA-CAR/Rank-and-File/Nine (9) respondents	TESDA	Grave Misconduct and Gross Neglect of Duty	Administrative/Integrity	TESDA	2017 August 16	two (2) months and eighteen (18) days	Pending formal investigation by TESDA.	Permanent Employee

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12	N/A	Israael R. Navora, Administrative Officer V, TESDA-CAR/Rank-and- File/Nine (9) respondents	TESDA	Grave Misconduct	Administrative/Integrity	TESDA	2017 August 16	two (2) months and eighteen (18) days	Pending formal investigation by TESDA.	Permanent Employee
13	N/A	Ladeva C. Marquez, Assistant Professor II, Passi Trade School/Rank- and-File/One (1) respondent	TESDA	Gross Insubordination and Simple Misconduct	Administrative/Integrity	TESDA	2017 August 16	two (2) months and eighteen (18) days	Pending formal investigation by TESDA.	Permanent Employee
14	N/A	Zoilo S. Galang, Chief TESD Specialist, Qualifications and Standards Office (QSO)	TESDA-Central Office	Non-submission of DTRs	Administrative/Integrity	TESDA	2017 October 12	twenty-two (22) days	Pending formal investigation by TESDA.	Permanent Employee

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Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila

FORM 02-LIST OF DECIDED CASES
Second Quarter, 2017

NO.	CASE/DOCKET NO.	RESPONDENT/S (POSITION) AND (Level of Position)	COMPLAINANT	NATURE OF CHARGE	TYPE OF CASE (Administrative/ Criminal/Civil & w/n efficiency/ integrity/ integrity-graft related)	CASE LODGED AT:	DATE FILED (mm/dd/yyyy)	DATE OF DECISION (MM/DD/YYYY)	AGING (Year, Month, Day)	DETAILED DECISION	DATE OF IMPLEMENTATION	REMARKS
1	N/A	Vicente R. Pagula/Vocational School Administrator III/ Rank-and-File and Genoveva D. Maximo/Administrative Officer IV/Rank-and-File	Reneito Pascador	Grave Misconduct, Falsification of Official Documents, and Conduct Prejudicial to the Best Interest of the Service	Administrative/integrity only	CSC	11 February 2006	November 24, 2011 September 06, 2011 Signed by Chairman Francisco T. Duque III, Commissioner Mary Ann Z. Fernandez-Mendoza	five (5) years and seven (7) months	Wherefore, considering the above premises, Ms. GENOVEVA D. MAXIMO is hereby found GUILTY of the Administrative Offense of SIMPLE MISCONDUCT with the PENALTY of One (1) Month and One (1) day suspension from the government service, while the charges of Falsification of Official Documents and Conduct Prejudicial to the Best Interest of the Service are hereby DISMISSED for lack of substantial evidence. On the other hand, Mr. VICENTE R. PAGULA is hereby EXONERATED from all of the charges imputed against him for lack of substantial evidence. Wherefore, the appeal of Genoveva Maximo is hereby GRANTED. Accordingly, the Civil Service Commission (CSCRO) No. II Decision dated November 24, 2010, finding her guilty of Simple Misconduct and imposing upon her the penalty of one (1) month and one (1) day suspension from the government service and the Resolution dated January 25, 2011 denying her motion for reconsideration is hereby REVERSED and SET ASIDE. Maximo is hereby EXONERATED from any administrative liability for lack of substantial evidence to prove the offense imputed.	Aparri School of Arts and Trades (ASAT) paid the back wages of Ms. Maximo on 30 September 2011 for the period 01 February 2011 to 07 March 2011.	The CSC decision dated 24 November 2010 finding her guilty of Simple Misconduct and imposing upon her the penalty of one (1) month and one (1) day suspension from the government service and the Resolution dated 25 January 2011 denying her motion for reconsideration was reversed and set aside by the CSC. Mr. Pagula retired from the service effective March 23, 2014.
2	N/A	Mensel S. Drilo/Administrative Assistant III/Rank-and-File	TWC trainees. Ms. Roselle Corpus, Candy Bartolome, Jaquelin Nieva and Catalina Aguilta	Grave Misconduct	Administrative/integrity only	TESDA	30 April 2012	February 04, 2013 March 20, 2014 Signed by Sec. Emmanuel Joel J. Villanueva	One (1) year, seven (7) months and seven (7) days	WHEREFORE, premises considered, the Motion for Reconsideration of the Respondent is PARTLY GRANTED. The assailed Decision dated 04 February 2013 is hereby MODIFIED. Accordingly, the penalty imposed upon the Respondent is hereby DOWNGRADED from dismissal to a mere SUSPENSION from the service for SIX (6) MONTHS WITHOUT PAY. Likewise, a STERN WARNING is hereby given to the Respondent that any repetition of the same offense shall be dealt with more severely.	April 7, 2014 to October 4, 2014	Ms. Drilo received the Decision issued by the Director General on 06 June 2013. Ms. Drilo was suspended from the service for six (6) months without pay. Ms. Drilo filed a Motion for Reconsideration on 14 June 2013. The Director General partly granted the Motion for Reconsideration and modified the Decision dated 04 February 2013.
3	N/A	Carmelita A. Dulay/Senior TESD Specialist/Rank-and-File	anonymous with mobile no. 09084098208	Grave Misconduct	Administrative/efficiency/integrity only	TESDA CSC	04 August 2009	25 May 2010 (TESDA) 21 March 2012 (CSC) Commissioner Mary Ann Z. Fernandez-Mendoza, Chairman Francisco T. Duque III	two (2) years and three (3) months	Wherefore, the appeal of Carmelita A. Dulay, Senior TESD Specialist, Technical Education and Skills Development Authority (TESDA), La Union Provincial Office, is hereby DISMISSED. However, the Decision dated May 25, 2010 of the TESDA Director General Pastor Z. Guiao, finding her guilty of Grave Misconduct, thereby imposing upon her the penalty of dismissal from the service with accessory penalties, is hereby MODIFIED, such that Dulay is found guilty only of Conduct of Prejudicial to the Best Interest of the Service, and meted the penalty of one (1) year suspension.	one (1) year suspension. Ms. Dulay has assumed the duties and responsibilities of a Senior TESDA Specialist at the Regional Operations Division (ROD) of TESDA-Region I on 01 October 2012.	Permanent Employee
4	CA G.R. SP NO. 119892/ UDK No. 14708	Erlando L. Majan/TESD Specialist II/Rank-and-File	TESDA	Being Notoriously Undesirable	Administrative/integrity only/efficiency	TESDA CSC Court of Appeals Supreme Court	11 August 2008	05 September 2012 (TESDA) January 26, 2012 (CA) September 5, 2012 (SC) Signed by Division Clerk of Court Edgar O. Archeta	three (3) years and six (6) days	Pursuant to Rule 45 and other related provisions of the 1997 Rules of Civil Procedure, as amended, governing appeals by certiorari to the Supreme Court, only petitions which are accompanied by or which comply strictly with the requirements specified therein shall be entertained. On the basis thereof, the Court resolves to DENY the instant petition for review on certiorari of the Resolution dated 30 June 2011 of the Court of Appeals in C.C. G.R. No. 119892.	05 October 2009	Permanent Employee/Mr. Majan was dismissed from the service effective 05 October 2009.

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